



City of Portland, Oregon
Bureau of Development Services
Land Use Services

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TTY 503-823-6868
www.portlandonline.com/bds

Date: May 20, 2011
To: Interested Person
From: Dave Skilton, Land Use Services 503-823-0660
dave.skilton@portlandoregon.gov

NOTICE OF A TYPE I DECISION ON A PROPOSAL IN YOUR NEIGHBORHOOD

The Bureau of Development Services has approved a proposal in your neighborhood. The reasons for the decision are included in this notice. If you disagree with the decision, you can appeal it to the Oregon Land Use Board of Appeals (LUBA) at 550 Capitol St. NE, Suite 235, Salem, OR 97301. The phone number for LUBA is 1-503-373-1265. Information on how to appeal this decision is listed at the end of this notice.

CASE FILE NUMBER: LU 11-126360 HDZ - NEW BLADE SIGN

GENERAL INFORMATION

Applicant: Robert P. Foster
230 NW 10th Avenue
Portland, OR 97209-3109

Maurice R. Williams
230 NW 10th Avenue
Portland, OR 97209-3109

Representative: Jason Kentta, Architect 503-799-3261
7003 NE 9th Ave
Portland, OR 97211

Site Address: 230 NW 10th Avenue

Legal Description: BLOCK 63 LOT 7 HISTORIC PROPERTY 15 YR 2004 POTENTIAL
ADDITIONAL TAX, COUCHS ADD

Tax Account No.: R180205790

State ID No.: 1N1E34CB 06800

Quarter Section: 3029

Neighborhood: Pearl District, contact Patricia Gardner at 503-228-3273.
Business District: Pearl District Business Association, contact Adele Nofield at 503-223-0070.

District Coalition: Neighbors West/Northwest, contact Mark Sieber at 503-823-4212.
Plan District: Central City - River District

Other Designations: Portland Historic Landmark, pursuant to listing in the National Register of Historic Places on February 11, 1988.

Zoning: CXd, Central Commercial with Historic Resource Protection and Design Overlay zoning.

Case Type: HDZ, Historic Design Review
Procedure: Type I, an administrative decision with appeal to the Oregon Land Use Board of Appeals (LUBA).

Proposal:

The applicant is seeking Historic Design Review approval for a proposal to install a non-illuminated blade sign with approximately 15 square feet of face area on a brick masonry section of the building, with attachment bolts at the mortar joints only. Historic Design Review is required because the proposal is for a non-exempt exterior alteration on a Portland Historic Landmark.

Relevant Approval Criteria:

In order to be approved, this proposal must comply with the approval criteria of Title 33, Portland Zoning Code. The relevant approval criteria are:

- 33.846.060 G – Other Approval Criteria
- Central City Fundamental Design Guidelines – River Sub-District

ANALYSIS

Site and Vicinity: The Otis Elevator Company Building is a single story brick building in an Italian Renaissance Revival style. It was completed in 1920. Ironically it was the local headquarters for a company which sold and installed elevators for multi-story buildings. The exterior of the building is highly intact. Its materials include tawny brick in Flemish bond, a granite base, and cream-colored terra cotta trims and ornamentation. The western end of the building also features a low pitched, red tile, hipped roof.

The surrounding neighborhood, known historically as the northwest triangle, has in recent decades been more commonly referred to as the Pearl District. It has seen intensive redevelopment and a shift from light industrial and construction related businesses to mid-rise residential properties over retail ground floors. The area is also designated as a special sub-district of the Central City Plan Area, for purposes of zoning applications.

Zoning: The Central Commercial (CX) zone is intended to provide for commercial development within Portland's most urban and intense areas. A broad range of uses is allowed to reflect Portland's role as a commercial, cultural and governmental center. Development is intended to be very intense with high building coverage, large buildings, and buildings placed close together. Development is intended to be pedestrian-oriented with a strong emphasis on a safe and attractive streetscape.

The Historic Resource Protection chapter protects certain historic resources in the region and preserves significant parts of the region's heritage. The regulations implement Portland's Comprehensive Plan policies that address historic preservation. These policies recognize the role historic resources have in promoting the education and enjoyment of those living in and visiting the region. The regulations foster pride among the region's citizens in their city and its heritage. Historic preservation beautifies the city, promotes the city's economic health, and helps to preserve and enhance the value of historic properties.

The Design Overlay Zone promotes the conservation, enhancement, and continued vitality of areas of the City with special scenic, architectural, or cultural value. The Design Overlay Zone also promotes quality high-density development adjacent to transit facilities. This is achieved through the creation of design districts and applying the Design Overlay Zone as part of community planning projects, development of design guidelines for each district, and by requiring design review or compliance with the Community Design Standards. In addition, design review or compliance with the Community Design Standards ensures that certain types of infill development will be compatible with the neighborhood and enhance the area.

Land Use History: City records indicate one prior related land use review:

- LU 04-068497, approving a fabric awning with signage on the valence, at the main entry.

Public Notice: A Notice of Proposal in your Neighborhood was mailed on **April 18, 2011**.

Agency Review: None of the notified service Bureaus has responded with any issues or concerns.

Neighborhood Review: No written responses have been received from either the Neighborhood Association or notified property owners in response to the proposal.

ZONING CODE APPROVAL CRITERIA

Chapter 33.846, Historic Reviews

Purpose of Historic Design Review

Historic Design Review ensures the conservation and enhancement of the special characteristics of historic resources.

Historic Design Review Approval Criteria

Requests for historic design review will be approved if the review body finds the applicant has shown that all of the approval criteria have been met.

Findings: The site is a designated Historic Landmark and the proposal is for a non-exempt treatment. Therefore Historic Design Review approval is required. The approval criteria are listed in 33.846.060 G. Because the site is also located within the Central City Plan District and the River Sub-District, the relevant approval criteria are the *Central City Fundamental Design Guidelines* and the *River District Design Guidelines*.

Staff has considered all of the approval criteria and addressed only those applicable to the proposal.

33.846.060 G. Other Approval Criteria:

- 5. Historic materials.** Historic materials will be protected. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials will not be used.

Findings: The proposed sign will be mounted to the building with penetrations only at the mortar joints where the holes will be easily repairable if and when the sign is removed in the future. No other chemical or physical treatments are proposed. *This criterion is met.*

- 8. Architectural compatibility.** New additions, exterior alterations, or related new construction will be compatible with the resource's massing, size, scale, and architectural features. When retrofitting buildings or sites to improve accessibility for persons with disabilities, design solutions will not compromise the architectural integrity of the historic resource.

- 10. Hierarchy of compatibility.** Exterior alterations and additions will be designed to be compatible primarily with the original resource, secondarily with adjacent properties, and finally, if located within a Historic or Conservation District, with the rest of the district. Where practical, compatibility will be pursued on all three levels.

Findings for 8 and 10: The location of the proposed blade sign, aligning roughly with the top of the openings on the north face of the building and adjacent to the entry to the single bay business it serves, is a traditional one for small retail establishments. At approximately 15 square feet, the size is also in good proportion to the scale of the related storefront and the overall building, and its straightforward, non-illuminated type is in keeping both with the building, and the pedestrian character of the neighborhood. *These criteria are met.*

River District Design Guidelines and Central City Fundamental Design Guidelines

A6. Reuse/Rehabilitate/Restore Buildings. Where practical, reuse, rehabilitate, and restore buildings and/or building elements.

Findings: The Otis Elevator Company Building has been reused successfully for over three decades. The proposed sign will support that continuing practice by helping to make the use of a secondary building bay economically feasible. *This guideline is met.*

C1-2. Integrate Signs and Awnings. Integrate signs and awnings to be complementary and respectful of a building's architecture. This guideline may be accomplished by:

- a) Placing signs and awnings to fit with and respect a building's architecture;
- b) Avoiding large, excessively illuminated or freestanding signs that contribute to visual clutter; or
- c) Integrating with a building's design, an exterior sign program/system for flexible sidewalk level space that accommodates changing tenants.

C13. Integrate Signs. Integrate signs and their associated structural components with the building's overall design concept. Size, place, design, and light signs to not dominate the skyline. Signs should have only a minimal presence in the Portland skyline.

Findings for C1-2 and C13: As discussed in the findings for Historic Design Review approval criteria 33.846.060 G 8 and 10 above, the traditional type, size, and location of the proposed sign make it compatible with the building and neighborhood in terms of its historic character. The same reasoning applies to their integration with the building because the cultural sense of architectural integration is deeply rooted in the way buildings have traditionally been detailed. *These guidelines are therefore met.*

DEVELOPMENT STANDARDS

Unless specifically required in the approval criteria listed above, this proposal does not have to meet the development standards in order to be approved during this review process. The plans submitted for a building or zoning permit must demonstrate that all development standards of Title 33 can be met, or have received an Adjustment or Modification via a land use review prior to the approval of a building or zoning permit.

CONCLUSIONS

While providing a business with attractive signage, the proposal respects both the character of the historic landmark and the desired quality of the neighborhood. The purpose of the Historic Design Review process is to ensure that additions, new construction, and exterior alterations to historic resources do not compromise their ability to convey historic significance. This proposal meets the applicable Historic Design Review criteria and therefore warrants approval.

ADMINISTRATIVE DECISION

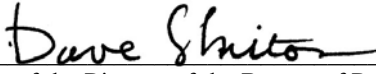
Approval of a new, non-illuminated blade sign, approximately 15 square feet in face area, on the Historic Landmark Otis Elevator Building;

Approval per Exhibits C-1 through C-3, signed and dated May 17, 2011, subject to the following condition:

- A. As part of the building permit application submittal, each of the 4 required site plans and any additional drawings must reflect the information and design approved by this land use review as indicated in Exhibits C-1 through C-3. The sheets on which this

information appears must be labeled, "Proposal and design as approved in Case File # LU 11-126360 HDZ."

Staff Planner: Dave Skilton

Decision rendered by:  **on May 17, 2011.**
By authority of the Director of the Bureau of Development Services

Decision mailed: May 20, 2011

About this Decision. This land use decision is **not a permit** for development. Permits may be required prior to any work. Contact the Development Services Center at 503-823-7310 for information about permits.

Procedural Information. The application for this land use review was submitted on April 5, 2011, and was determined to be complete on **April 14, 2011.**

Zoning Code Section 33.700.080 states that Land Use Review applications are reviewed under the regulations in effect at the time the application was submitted, provided that the application is complete at the time of submittal, or complete within 180 days. Therefore this application was reviewed against the Zoning Code in effect on April 5, 2011.

ORS 227.178 states the City must issue a final decision on Land Use Review applications within 120-days of the application being deemed complete. The 120-day review period may be waived or extended at the request of the applicant. In this case, the applicant did not waive or extend the 120-day review period.

Some of the information contained in this report was provided by the applicant.

As required by Section 33.800.060 of the Portland Zoning Code, the burden of proof is on the applicant to show that the approval criteria are met. The Bureau of Development Services has independently reviewed the information submitted by the applicant and has included this information only where the Bureau of Development Services has determined the information satisfactorily demonstrates compliance with the applicable approval criteria. This report is the decision of the Bureau of Development Services with input from other City and public agencies.

Conditions of Approval. If approved, this project may be subject to a number of specific conditions, listed above. Compliance with the applicable conditions of approval must be documented in all related permit applications. Plans and drawings submitted during the permitting process must illustrate how applicable conditions of approval are met. Any project elements that are specifically required by conditions of approval must be shown on the plans, and labeled as such.

These conditions of approval run with the land, unless modified by future land use reviews. As used in the conditions, the term "applicant" includes the applicant for this land use review, any person undertaking development pursuant to this land use review, the proprietor of the use or development approved by this land use review, and the current owner and future owners of the property subject to this land use review.

This decision, and any conditions associated with it, is final. It may be appealed to the Oregon Land Use Board of Appeals (LUBA), within 21 days of the date the decision is mailed, as specified in the Oregon Revised Statute (ORS) 197.830. Among other things, ORS 197.830 requires that a petitioner at LUBA must have submitted written testimony during the comment period for this land use review. You may call LUBA at 1-503-373-1265 for further information on filing an appeal.

The file and all evidence on this case are available for your review by appointment only. Please call the Request Line at our office, 1900 SW Fourth Avenue, Suite 5000, phone 503-

823-7617, to schedule an appointment. I can provide some information over the phone. Copies of all information in the file can be obtained for a fee equal to the cost of services. Additional information about the City of Portland, city bureaus, and a digital copy of the Portland Zoning Code is available on the internet at www.portlandonline.com.

Recording the final decision.

If this Land Use Review is approved, the final decision must be recorded with the Multnomah County Recorder. A building or zoning permit will be issued only after the final decision is recorded. The final decision may be recorded on or after **May 23, 2011**. The applicant, builder, or a representative may record the final decision as follows:

- By Mail: Send the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to: Multnomah County Recorder, P.O. Box 5007, Portland OR 97208. The recording fee is identified on the recording sheet. Please include a self-addressed, stamped envelope.
- In Person: Bring the two recording sheets (sent in separate mailing) and the final Land Use Review decision with a check made payable to the Multnomah County Recorder to the County Recorder's office located at 501 SE Hawthorne Boulevard, #158, Portland OR 97214. The recording fee is identified on the recording sheet.

For further information on recording, please call the County Recorder at 503-988-3034

For further information on your recording documents please call the Bureau of Development Services Land Use Services Division at 503-823-0625.

Expiration of this approval. An approval expires three years from the date the final decision is rendered unless a building permit has been issued, or the approved activity has begun.

Where a site has received approval for multiple developments, and a building permit is not issued for all of the approved development within three years of the date of the final decision, a new land use review will be required before a permit will be issued for the remaining development, subject to the Zoning Code in effect at that time.

Applying for your permits. A building permit, occupancy permit, or development permit may be required before carrying out an approved project. At the time they apply for a permit, permittees must demonstrate compliance with:

- All conditions imposed herein;
- All applicable development standards, unless specifically exempted as part of this land use review;
- All requirements of the building code; and
- All provisions of the Municipal Code for the City of Portland, and all other applicable ordinances, provisions and regulations of the City.

EXHIBITS

NOT ATTACHED UNLESS INDICATED

- A. Applicant's Statement: none
- B. Zoning Map (attached)
- C. Plans/Drawings:
 1. Site Plan (attached)
 2. Elevation and Section (attached)
 3. Sign Details (attached)
- D. Notification information:
 1. Mailing list
 2. Mailed notice

- E. Agency Responses: none
- F. Correspondence: none
- G. Other
 - 1. Original LU Application
 - 2. Site History Research

The Bureau of Development Services is committed to providing equal access to information and hearings. Please notify us no less than five business days prior to the event if you need special accommodations. Call 503-823-7300 (TTY 503-823-6868).



ZONING



Site



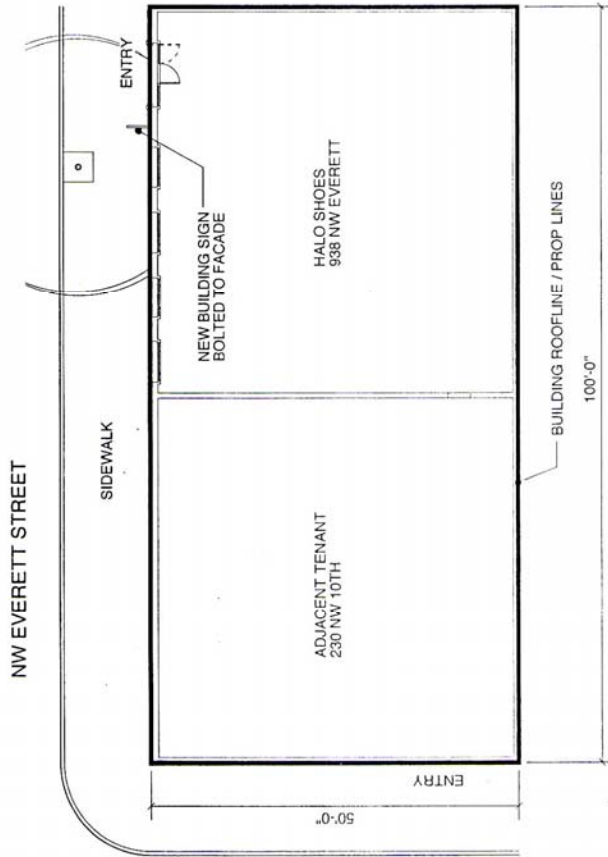
Historic Landmark



This site lies within the:
CENTRAL CITY PLAN DISTRICT

File No.	LU 11-126360 HDZ
1/4 Section	3029
Scale	1 inch = 200 feet
State_Id	1N1E34CB 6800
Exhibit	B (Apr 11,2011)

Halo Shoes Sign Permit - Historic Review



PROJECT ADDRESS: 938 NW EVERETT
 ZONING: EX
 APPLICANT: NATHAN NEWELL (TENANT)
 ADDRESS: 938 NW EVERETT, PORTLAND, OR 97209
 BUILDING OWNER: MAURICE WILLIAMS & ROBERT FOSTER
 ADDRESS: 230 NW 10TH AVE, PORTLAND, OR 97209
 CONTRACTOR: DYADIC IRON WORKS
 CGB #: 158341

DRAWING INDEX
 S1: SITE PLAN, INFORMATION
 S2: SIGN ELEVATIONS
 S3: SIGN DETAILS

Halo Shoes
 938 NW EVERETT

Jason Kentia architect
 7003 NE 9th Ave, Portland, Or, 97211
 jason.kentia@gmail.com 503.799.3261

DATE: 4.04.2011

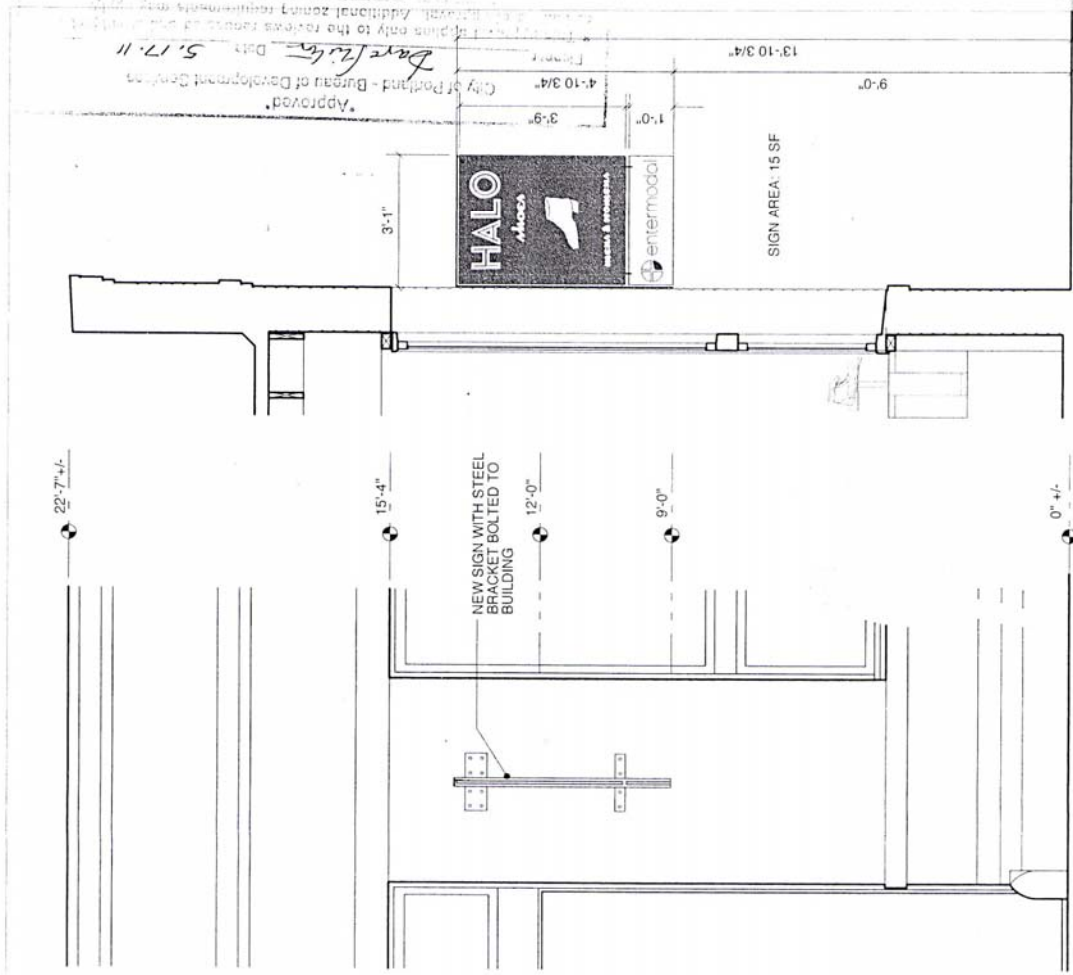
S1

LU11-126360 HDZ

Approved
 City of Portland - Bureau of Development Services
 Date: 5.17.11
 This approval applies only to the reviews requested and is subject to conditions of approval. Additional zoning requirements may apply.

1-7

Site Plan SCALE 1/8" = 1'-0"



Elevation

Section

L111-126360 HDZ

S 2

DATE: 4.04.2011

Jason Kentia architect
7003 NE 9th Ave Portland, OR 97211
jason.kentia@gmail.com 503.799.3261

Halo Shoes
938 NW EVERETT

Approved

City of Portland - Bureau of Development Services

Barbara
Date: 5.17.11

Additional zoning requirements may apply to the review process of this project.

